

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

TAMICA FRASER,)
)
Plaintiff,)
)
v.)
)
)
KMART CORPORATION,)
)
Defendant.)
)
)
)

ORDER

FINCH, SENIOR JUDGE

THIS MATTER comes before the Court on a Motion for Summary Judgment filed by Defendant Kmart Corporation. Plaintiff Tamica Fraser opposes such Motion. After careful consideration and for the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that, with respect to Plaintiff's claim for violation of the Virgin Islands civil rights statute 10 V.I.C. § 64, Defendant's Motion for Summary Judgment is **GRANTED**; it is further

ORDERED that, with respect to Plaintiff's claim for constructive discharge in violation of the Wrongful Discharge Act, Defendant's Motion for Summary Judgment is **DENIED**; it is further

ORDERED that, with respect to Plaintiff's claim for intentional infliction of emotional distress, Defendant's Motion for Summary Judgment is **DENIED**; it is further

ORDERED that, with respect to Plaintiff's claim for negligent infliction of emotional distress, Defendant's Motion for Summary Judgment is **GRANTED**; it is further

ORDERED that, with respect to Plaintiff's claim for breach of the duty of good faith and fair dealing, Defendant's Motion for Summary Judgment is **GRANTED**.

ENTERED this 23rd day of April, 2008.

/s/
**HONORABLE RAYMOND L. FINCH
SENIOR U.S. DISTRICT JUDGE**

